

Ex Parte Presentation:

In the matter of the Petition by Gila River Telecommunications Incorporated for Commission approval to unfreeze Part 36 category relationships, CC Docket number 80-286.

On August 7, 2007, GRTI met with the FCC to reiterate positions which were all detailed in the written filing with the FCC on November 21, 2006, CC Docket number 80-286.

Gila River Telecommunications Incorporated (GRTI), was represented by Dale Enos, Chairman of the Board of Directors; Michael Scully, General Manager; Douglas Kitch, Cost Consultant to GRTI, Alexicon, Inc., and Eric Jensen, consultant for GRTI, met with Jeremy Marcus, Division Chief, Telecommunications Access Policy and Amy Bender, Attorney Advisor, Wireline Competition Bureau to discuss GRTI's petition to unfreeze its cost categories voluntarily entered into in 2001.

GRTI reiterated the following positions from *the written filing with the FCC on November 21, 2006, CC Docket number 80-286*:

- the voluntary participation in the Commission's freeze in 2001 was predicated on a five-year timeframe;
- since that voluntary participation began, GRTI has invested substantially in infrastructure and plant facilities to improve access to telecommunications for the community;
- Gila River is a unique tribal Sovereign Nation that should be accorded all due consideration under the Federal Government's federal trust responsibility to Indian tribes and under the FCC's Tribal Trust Policy;
- under the Communications Act's mandate for universal access to telecommunications, the FCC must take into consideration tribal nations' plight as communities with the least access to telecommunications service in America;
- Gila River is a historically unserved community with less than 10% penetration before the tribe purchased its own facilities in 1987;
- the Tribe would suffer harm of not being able to recover up to \$1.2 million annually otherwise permitted in Universal Service Fund cost recoveries;
- the FCC should consider balancing regulatory convenience and stability of the fund with the harm to an individual tribal community voluntarily participating in the freeze;

- and finally, the impact of granting Gila River's petition to unfreeze cost categories will have negligible impact on the Universal Service Fund.

GRTT's financial consultant compared the difference of cost recoveries under the freeze with those otherwise permitted under Universal Service rules.